

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *Jf* D.C.  
05 DEC 12 AM 10:42

ROOSEVELT GORDON,

Plaintiff,

v.

No. 05-2621 M1/An

CITY OF MEMPHIS, and DESOTO  
LODGE #3, INTERNATIONAL  
ASSOCIATION OF MACHINISTS AND  
AEROSPACE WORKERS, AFL-CIO,

Defendants.

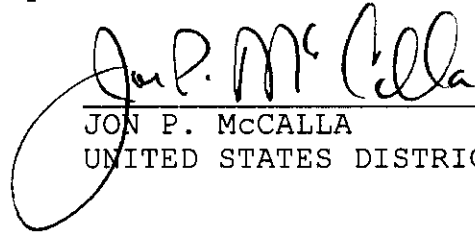
THOMAS M. GOULD  
CLERK, U.S. DISTRICT COURT  
MEMPHIS

ORDER REGARDING PLAINTIFF'S NOTICE OF VOLUNTARY NON-SUIT

Before the Court is Plaintiff's Notice of Voluntary Non-Suit, filed December 7, 2005. The Federal Rules of Civil Procedure require that the notice be "signed by all parties who have appeared in the action." Fed. R. Civ. P. 41(a)(1)(ii). The notice is signed by Plaintiff's counsel. Defendant DeSoto Lodge #3 has not appeared in the action. Accordingly, the case is DISMISSED as to Defendant DeSoto Lodge #3. Defendant City of Memphis has appeared in this action and has not signed the notice. Upon submission of the appropriate signatures, the case will be dismissed as to Defendant City of Memphis.

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So ORDERED this 9 day of December, 2005.

  
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JON P. McCALLA  
UNITED STATES DISTRICT JUDGE



## Notice of Distribution

This notice confirms a copy of the document docketed as number 11 in case 2:05-CV-02621 was distributed by fax, mail, or direct printing on December 12, 2005 to the parties listed.

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Honorable Jon McCalla  
US DISTRICT COURT